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| Notice of Allowability | Application No. | Applicant(s) |
|-------------------------------|---------------------------------|---------------------|
| | 10/030,198 | SAMANT ET AL. |
| | Examiner Jonas N. Strickland | Art Unit 1754 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the remarks and amendment filed on 7/6/05.
2. The allowed claim(s) is/are claims 1-12 and 16.
3. The drawings filed on 19 August 2002 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

| | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____. | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William C. Gerstenzang on 7/21/05.

2. The application has been amended as follows:

- Claims 13-15 and 17-19 have been cancelled.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: The instantly claimed invention is allowable over the cited prior art, because the cited prior art fails to disclose a process for the treatment of dust and oxygen containing gases, which contain sulfur oxides and nitrogen oxides, at temperatures in the range from 200-500°C by means of reducing agents in a reactor having a solid catalyst with flow passages, in which the free opening surface of the catalyst is more than 50% and in which the passages of the catalyst have a hydraulic diameter of more than 2 mm wherein the treatment in the reactor is performed in the presence of substances comprised of free oxides, carbonates, hydroxides of calcium, magnesium, sodium and potassium, said substances being present in or added to the exhaust gases prior to contact with the catalyst and wherein the operating conditions of the gas flow in the free reaction space corresponding to Froude numbers.

Inoue et al. (US Patent 4,221,768) discloses a reactor comprised of oxides of alkali metals and alkaline metals, but the reference does not disclose wherein free oxides, carbonates, hydroxides of calcium, magnesium, sodium, and potassium, and wherein the substances being present in or added to said exhaust gases prior to contact of said exhaust gases with said catalyst under the claimed reaction conditions.

Graf et al. discloses a process for removing sulfur oxides and optionally other gaseous pollutants from flue gases by means of a reactant such as sodium, potassium, calcium and/or magnesium as an oxide, hydroxide, or carbonate (see abstract). Graf et al. continues to teach wherein the process may also treat nitrogen oxides and wherein the reactor is controlled according to the Froude number (col. 3, line 50 – col. 4, line 18). However, Graf et al. is directed towards a process, which utilizes a fluidized bed and not a solid catalyst process as instantly claimed in the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonas N. Strickland whose telephone number is 571-272-1359. The examiner can normally be reached on M-TH, 7:30-5:00, off 1st Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on 571-272-1358. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jonas N. Strickland
July 21, 2005


STANLEY S. SILVERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700